

1 RENE L. VALLADARES
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2 Nevada State Bar No. 11479
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5 Katherine_Tanaka@fd.org

6 Attorney for Tender Morales

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 TENDER MORALES

13 Defendant.

Case No 2:20-cr-0038-JCM-VCF

**STIPULATION TO VACATE
STATUS HEARING
AND CLOSE CASE**

14
15 IT IS HEREBY STIPULATED AND AGREED, by and between United States
16 Attorney Nicholas A. Trutanich and Special Assistant United States Attorney Rachel L. Kent,
17 counsel for the United States of America, and Federal Public Defender Rene L. Valladares
18 and Assistant Federal Defender Katherine Tanaka, counsel for Tender Morales, that the status
19 hearing previously scheduled for December 9, 2020 at 10:30 a.m. be vacated and the case
20 closed.

21 This Stipulation is entered into for the following reasons:

22 1. Defendant was charged with: Count One – failing to obey a traffic control
23 device; and Count Two – Driving off-road causing resource damage. ECF No. 1.

24 2. On September 1, 2020, Defendant entered into a petty offense diversion
25 agreement with the Government. ECF No. 19. The diversion agreement required Defendant
26 to complete the following conditions: (1) successfully complete eight-hours of community

1 service; and (2) not violate any local, state, or federal laws. *Id.* In exchange for successful
2 completion of the conditions, the Government agreed to dismiss Count One – failing to obey a
3 traffic control device, and Count Two – Driving off-road causing resource damage. *Id.*

4 3. Defendant has successfully completed the conditions. Defendant completed
5 eight-hours of community service and has not violated any local, state, or federal laws.

6 4. The Government is satisfied Defendant has met the terms of the diversion
7 agreement.

8 5. Because Defendant has successfully completed the terms of the diversion
9 agreement, the parties request the Court vacate the status hearing, dismiss the charges, and
10 close the case.

11 DATE: December 3, 2020

12
13 RENE L. VALLADARES
Federal Public Defender

14 /s/ Katherine Tanaka

15 By _____

16 KATHERINE TANAKA
Assistant Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

/s/ Rachel L. Kent

By _____

RACHEL L. KENT
Special Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

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6 TENDER MORALES

7 Defendant.

Case No 2:20-cr-0038-JCM-VCF

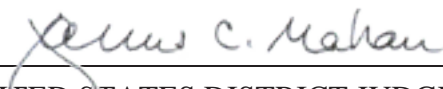
ORDER

8
9 **ORDER**

10 Based on the pending Stipulation of counsel, the Court finds Defendant has
11 successfully completed the conditions of the diversion agreement.

12 IT IS THEREFORE ORDERED that the status conference is vacated, Count One –
13 failing to obey a traffic control device, and Count Two – Driving off-road causing resource
14 damage are dismissed, and the case is closed.

15 DATED December 4, 2020.

16 
17 _____
18 UNITED STATES DISTRICT JUDGE

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that she is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on December 3, 2020 she served an electronic copy of the above and foregoing **STIPULATION TO VACATE STATUS CHECK HEARING AND CLOSE CASE** by emailing to:

NICHOLAS A. TRUTANICH
United States Attorney
Rachel L. Kent
Special Assistant United States Attorney
501 Las Vegas Blvd. South
Suite 1100
Las Vegas, NV 89101

/s/

Assistant Federal Public Defender